

R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

The rejection of claims 34-41, 45-50, 52, 54-59, 61-63, 66, 69-75, 77-84, 88-93, 95, 97-102, 104-106, 108, 109 and 112-118 under 35 U.S.C. §103 as being unpatentable over Fu et al. (U.S. Patent No. 4,803,625; hereinafter Fu) and Lee (U.S. Patent No. 4,838,275) in view of Kirk et al. (U.S. Patent No. 5,390,238; hereinafter Kirk) has been obviated by amendment and should be withdrawn.

The rejection of claims 42, 44, 85 and 87 under 35 U.S.C. §103 as being unpatentable over Fu, Lee and Kirk and further in view of Beckers (U.S. Patent No. 5,019,974) has been obviated by amendment and should be withdrawn.

The rejection of claims 51, 53, 60, 64, 67, 68, 94,96, 103, 107, 110 and 111 under 35 U.S.C. §103 as being unpatentable over Fu, Lee and Kirk and further in view of Fujimoto (U.S. Patent No. 5,339,821) has been obviated by amendment and should be withdrawn.

The rejection of claims 43 and 86 under 35 U.S.C. §103 as being unpatentable over Fu, Lee and Kirk, and further in view of

Examiner's use of Official Notice is respectfully traversed and should be withdrawn.

The rejection of claims 76 and 119-138 under 35 U.S.C. §103 as being unpatentable over Fu, Lee and Kirk, and further in view of Examiner's use of Official Notice is respectfully traversed and should be withdrawn.

Independent claims 34, 71, 76, 77, 114, and 119-124 have been amended to include a limitation that the stored computer program instructions at the remote patient sites are transmitted to the remote patient sites from the central server and a limitation that when executed collect patient health-related data. Fu, Lee and Kirk do not teach or suggest a central server that transmits computer program instructions to remote patient sites where the transmitted computer program instructions are stored at the remote patient site and transmitting program instructions from a central server to a remote patient site that when executed at the remote patient site collect patient health-related data, as presently claimed. As such, the presently claimed invention is fully patentable over the cited references and the rejections should be withdrawn.

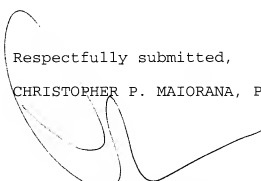
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicant's representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit Account No. 50-0541.

Respectfully submitted,

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c/o Health Hero Network

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